

Stark, David

From: Stark, David
Sent: Thursday, October 24, 2019 3:30 PM
To: Jamey Goldin; Heather Smith; Rebecca J. Dulin; Grube-Lybarker, Carri; Dover, Becky; Jamey Goldin; Weston Adams; richard@rlwhitt.law; Bateman, Andrew; Edwards, Nanette; robsmith@mvalaw.com; Knowles, Alex; Weston Adams; J. Blanding Holman; Samuel Wellborn; fellerbe@robinsongray.com; sferguson@selcsc.org; seaton@spilmanlaw.com; cgrundmann@spilmanlaw.com; dwilliamson@spilmanlaw.com; Jeremy Hodges; Jeremy Hodges; Scott Elliott; richard@rlwhitt.law; bbreitschwerdt@mcguirewoods.com; lbowen@selcnc.org; mhutt@selcnc.org; len.anthony1@gmail.com; Trey Gowdy; Nelson, Jeff; Grube-Lybarker, Carri; Dover, Becky; K. Chad Burgess; Matthew Gissendanner; Mitch Willoughby; Belton T. Zeigler; Pittman, Jenny; mhutt@selcnc.org
Cc: Boyd, Jocelyn; Melchers, Joseph; John Dalton; nlev@poweradvisoryllc.com; Carson Robers
Subject: RE: [External] Proposed dates for submission of proposals pursuant to 58-41-20(F)(1) by Intervenor and for comments in response from the companies in 2019-184-E, 2019-185-E, and 2019-186-E

Parties:

I am responding to this via email as a courtesy, but will also have this (and the below) communications posted in each of Docket Nos. 2019-184-E, 2019-185-E, and 2019-186-E.

I would request that any party wishing to respond to Mr. Goldin's proposal do so by filing a responsive letter by Monday, October 28, 2019 by 12:00 noon.

A Hearing Officer Directive will be issued in short order formalizing this request.

Regards,

David Stark
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 South Carolina Public Service Commission
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From: Jamey Goldin <jamey.goldin@nelsonmullins.com>
Sent: Wednesday, October 23, 2019 12:16 PM
To: Stark, David <david.stark@psc.sc.gov>; Heather Smith <heather.smith@duke-energy.com>; Rebecca J. Dulin <Rebecca.Dulin@duke-energy.com>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Dover, Becky <BDover@scconsumer.gov>; Jamey Goldin <Jamey.Goldin@nelsonmullins.com>; Weston Adams <weston.adams@nelsonmullins.com>; richard@rlwhitt.law; Bateman, Andrew <abateman@ors.sc.gov>; Edwards, Nanette <nedwards@ors.sc.gov>; robsmith@mvalaw.com; Knowles, Alex <aknowles@ors.sc.gov>; Weston Adams <weston.adams@nelsonmullins.com>; J. Blanding Holman <jholman@selcsc.org>; Samuel Wellborn <swellborn@robinsongray.com>; fellerbe@robinsongray.com; sferguson@selcsc.org; seaton@spilmanlaw.com; cgrundmann@spilmanlaw.com; dwilliamson@spilmanlaw.com; Jeremy Hodges <jeremy.hodges@nelsonmullins.com>; Jeremy Hodges <jeremy.hodges@nelsonmullins.com>; Scott Elliott <sellott@elliottlaw.us>; richard@rlwhitt.law;

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Cc: Boyd, Jocelyn <Jocelyn.Boyd@psc.sc.gov>; Melchers, Joseph <Joseph.Melchers@psc.sc.gov>; John Dalton <jdalton@poweradvisoryllc.com>; nlev@poweradvisoryllc.com; Carson Robers <crobers@poweradvisoryllc.com>
Subject: [External] Proposed dates for submission of proposals pursuant to 58-41-20(F)(1) by Intervenor and for comments in response from the companies in 2019-184-E, 2019-185-E, and 2019-186-E

Mr. Stark,

Thank you again for your hard work and more importantly your patience with all parties throughout these dockets. As discussed at the conclusion of the DEC/DEP Hearings, JDA and SCSBA would propose the following schedule in the three dockets for Intervenor's submission of "commercially reasonable fixed price power purchase agreements with a duration longer than ten years" with "additional terms, conditions, and/or rate structures" for approval by the Commission pursuant to SC Code Ann. § 58—41-20(F)(1):

Intervenor file proposals with the requisite statutory conditions for approval of terms longer than 10 years by October 31, 2019.

Companies have until November 6, 2019, to file comments in response to the proposals.

The statute does not limit or specify a timeframe for when such proposal must be proffered by the Intervenor and leads to the presumption that such proposals would be made in proposed orders. In the spirit of fairness and transparency we make this proposal to prevent surprise to any party, Commissioner, Power Advisory, LLC, or the Commission Staff. We also recognize that the statute does not provide for an opportunity for comments in response by the companies yet we feel this is fair to all parties and will help to further inform the Commission in their deliberations. JDA and SCSBA recognize that the record in the three dockets, other than for late filed exhibits in 2019-185-E and 2019-186-E, and the Report of the Independent Third Party, is essentially closed and that no new evidence or testimony will be offered in support of these proposals. We also believe this schedule comports with the concerns expressed by Commissioner Belser that Companies not be forced to file proposed orders and comments in response to Intervenor's proposals on the same day. These dates attempt to give each side equal time for drafting and still allow for time to draft proposed orders in the dockets. We will also work, per Judge Ervin's request, with the companies to try and bring consensus proposals if possible. Finally, we have conferred with ORS about this schedule and they do not object.

Thank you for your consideration of our proposed schedule,

Jamey



JAMEY GOLDIN **PARTNER**

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